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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,276	12/29/2000	Justin E. Pedro	05288.00003	6489

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WASHINGTON, DC 20001

EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/750,276	<b>Applicant(s)</b> PEDRO, JUSTIN E.	
	<b>Examiner</b> Maikhanh Nguyen	<b>Art Unit</b> 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>06/13/2000</u> | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is responsive to the following communications: Restriction requirement filed 04/29/2004 to the original application filed 12/29/2000; IDS filed 06/13/2003.
2. Claims 1-6 and 9-11 are elected for examination. Claims 1, 4, and 9 are independent claims.
3. Applicant is required to cancel non-elected claims 7-8 in the next response to this office action.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- the phrase "a new form" (claim 5, line 3) renders the claim indefinite. The Examiner is unclear if it is referring to "a new form" in line 2.

- the phrase "new HTML content" (claim 6, line 3) renders the claim indefinite. The Examiner is unclear if it is referring to "new HTML content" in line 2.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1, 3-6, 9, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by **Gao et al.** ( US 2002/0032701 – filed 07/2001, priority 09/2000).

**As to independent claim 1**, Gao teaches a computer (*e.g., the client device 102; para.0042*) with a display (*e.g., the display 306; para.0042*) projecting a graphical user interface (*e.g., graphical user interface / Web browser; para.0031*) to a user (*e.g., at the client device; para.0031*), the graphical user interface displaying form content and HTML content (*e.g., a banner image 410; "Text Information Line 1" 412 ... 416; images 418; table of information; multimedia viewers 422; and on-screen playback controls 424; para.0043 and Fig.4*) in a common window (*e.g. display area 408 of the page window 400; para.0043*).

**As to dependent claim 3**, Gao teaches the form content and the HTML content are displayed in a Java applet execution a browser (*e.g., Java applets ... executed ... browser; para.0016*).

**As to independent claim 4**, Gao teaches a method for displaying form content and HTML content (*Fig.4*) comprising the following steps:

- running a Java applet (*e.g., the Java applets ... must be executed; para.0016*);

- opening a window (*e.g., the Web page will appear ... on the display 306 of the client device; para.0042*) ; populating the window with form content generated at least by the running Java applet (*Fig.4 and associated text on para. 0042-0043*); and populating the window with HTML content (*e.g., On the display, within a working space or display area 408 of the page window 400, are the contents, or page elements; para.0043*).

**As to dependent claim 5**, Gao teaches monitoring for an event requesting a new form; in response to the form request event, displaying a new form in the window (*Fig.2 and associated text*).

**As to dependent claim 6**, Gao teaches monitoring for an event requesting a new form; in response to the HTML content request event displaying new HTML content in the window (*Fig.5 and associated text*).

**As to independent claim 9**, Gao teaches a system for displaying forms and HTML content (*Fig.4*) comprising:

- a display (*e.g., the display 306; para.0042*) displaying a graphical user interface (*e.g., graphical user interface / Web browser; para.0031*) having at least one window (*e.g., On the display, within a working space or display area 408 of the page window 400, are the contents; or page elements; para.0043*);

- a processor (*e.g., client 102; Fig.1*) running a browser program (*e.g., browser 110; Fig.1*) and outputting information to the display (*e.g., for the display; para.0031*);

wherein the processor receives form content from a Java applet and HTML content from the Java applet (*e.g., the Java applet may provide dynamic display of information in the user's Web browser ... Java applet; para.0017*), combines the form content and the HTML content in a

browser program and outputs the combined content to the display (*e.g., On the display, within a working space or display area 408 of the page window 400, are the contents, or page elements ... "Text Information Line 1" 412 ... 416; images 418; table of information; multimedia viewers 422; and on-screen playback controls 424; para.0043*).

**As to dependent claim 11**, Gao teaches the Java applet includes handling of activation of a back button (*e.g., the viewers generally include on-screen playback controls that permit a user to move forward, reverse; para.0043 and Fig.4*).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gao** in view of **Kulkarni et al.** (U.S. 6,310,630 – filed 12/1997).

**As to dependent claim 2**, Gao does teach the graphical user interface and the form content, but does not explicitly teach the use of tabs.

Kulkarni teaches the use of tabs (*col.8, lines 18-29*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Kulkarni in the system of Gao because it would have

provided the capability for conveniently reviewing the previous page and the next page of the Web document.

**As to dependent claim 10**, Gao teaches the Java applet presents the form content in a window (*para.0042*), but does not explicitly teach the use of tabs.

Note the discussion of claim 2 above for the use of tabs.

### Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Steele et al.	U.S Patent No. 6,211,877	issued: Apr. 3, 2001
Minard et al.	U.S Patent No. 6,247,020	issued: Jun. 12, 2001
Van Der Meer	U.S Patent No. 6,405,224	issued: Jun. 11, 2002
Hoffman et al.	U.S Patent No. 6,553,363	issued: Apr. 22, 2003
Wynn et al.	U.S Patent No. 6,667,751	issued: Dec. 23, 2003
Lewallen	U.S Patent No. 6,801,224	issued: Oct. 5, 2004

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (571) 272-4090.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maikhanh Nguyen  
October 28, 2004



**SANJIV SHAH**  
**PRIMARY EXAMINER**